

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

RHONDA SCHIFFERL)	
)	
Plaintiff,)	
)	
vs.)	CAUSE NO. 3:20-cv-842
)	
STERLING HEALTHCARE)	
MANAGEMENT, LLC,)	
)	
Defendant.)	

COMPLAINT FOR DAMAGES

Plaintiff, Rhonda Schifferl, for her Complaint against Defendant, Sterling Healthcare Management, LLC, states the following:

I. Parties

1. Plaintiff is a resident of Rochester, Indiana.
2. Defendant, Sterling Healthcare Management, LLC does business as Morningview Assisted Living, a business located in South Bend, Indiana.

II. Jurisdiction and Venue

4. This court has jurisdiction to hear this claim pursuant to 28 U.S.C. §1331, in that the claims arise under the laws of the United States. Specifically, Plaintiff brings this action to enforce her rights pursuant to the ADEA, Title VII and the Equal Pay Act.
5. Venue in the Northern District of Indiana, South Bend Division, is appropriate by virtue Defendant doing business in this District.

III. Factual Allegations

6. Defendant hired Plaintiff on February 11, 2019.
7. Plaintiff was a woman in her early 60's when hired to work for Defendant.
8. Defendant hired Plaintiff as the Executive Director of Morningview Assisted Living.
9. Defendant agreed to pay Plaintiff a salary of \$70,000.00 per year.
10. Upon information and belief, Defendant paid male Executive Directors more money.
11. Upon information and belief, Defendant paid younger Executive Directors more money.
12. Plaintiff last worked for Defendant in October 2019 after being injured in a car accident.
13. Plaintiff was discriminated against by Defendant due to her age during her time as a Executive Director.
14. Plaintiff was discriminated against by Defendant due to her sex during her time as a Executive Director.
15. Plaintiff was paid lower than her younger counterparts by Defendant due to her age.
16. Plaintiff was paid lower than her male counterparts by Defendant due to her sex.
17. Defendant has violated Title VII by permitting Plaintiff to be discriminated against due to her sex.
18. Defendant has violated Title VII by paying Plaintiff lower than males due to sex.
19. Defendant has violated the ADEA by permitting Plaintiff to be discriminated against due to her age.

20. Defendant has violated the ADEA by paying Plaintiff lower than younger counterparts due to her age.

21. Defendant has violated the Equal Pay Act by paying Plaintiff lower than males due to her sex.

22. On or about November 26, 2019, Plaintiff filed a Charge of Discrimination with the Equal Employment Opportunity Commission (“EEOC”) alleging discrimination in violation of Title VII due to Plaintiff’s sex, Equal Pay Act, and in violation of the ADEA due to Plaintiff’s age.

23. On July 8, 2020, the EEOC issued a Notice of Right to Sue to Plaintiff.

Count I
Violations of Title VII

24. Plaintiff incorporates paragraphs 1 through 23 by reference herein.

25. Plaintiff was discriminated against by Defendant in violation of Title VII due to her sex.

26. Defendant paid Plaintiff less than her male counterparts in violation of Title VII due to her sex.

27. Plaintiff has been damaged by Defendant’s conduct.

WHEREFORE, Plaintiff prays that the Court:

A. Enter an order awarding all actual damages of Plaintiff including back and front pay with interest as permitted by Title VII.

B. Grant any and all equitable relief available to Plaintiff.

C. Enter an order awarding Plaintiff compensatory and punitive damages.

D. Enter an order awarding Plaintiff all reasonable attorney fees and expenses incurred.

E. Enter an award for such other relief as may be just and appropriate.

Respectfully Submitted,

WELDY LAW

/s/Ronald E. Weldy
Ronald E. Weldy, #22571-49

Count II
Violations of the Equal Pay Act

28. Plaintiff incorporates paragraphs 1 through 27 by reference herein.

29. Plaintiff was discriminated against by Defendant in violation of the Equal Pay Act due to her sex.

30. Defendant paid Plaintiff less than her male counterparts in violation of the Equal Pay Act due to her sex.

31. Plaintiff has been damaged by Defendant's conduct.

WHEREFORE, Plaintiff prays that the Court:

A. Enter an order awarding all actual damages of Plaintiff including back and front pay with interest as permitted by the Equal Pay Act.

B. Grant any and all equitable relief available to Plaintiff.

C. Enter an order awarding Plaintiff compensatory and punitive damages.

D. Enter an order awarding Plaintiff all reasonable attorney fees and expenses incurred.

E. Enter an award for such other relief as may be just and appropriate.

Respectfully Submitted,

WELDY LAW

/s/Ronald E. Weldy
Ronald E. Weldy, #22571-49

Count III
Violations of the ADEA

32. Plaintiff incorporates paragraphs 1 through 31 by reference herein.

33. Plaintiff was discriminated against by Defendant in violation of the ADEA due to her age.

34. Defendant paid Plaintiff less than her younger counterparts in violation of the ADEA due to her age.

35. Plaintiff has been damaged by Defendant's conduct.

WHEREFORE, Plaintiff prays that the Court:

A. Enter an order awarding all actual damages of Plaintiff including back and front pay with interest as permitted by the ADEA.

B. Grant any and all equitable relief available to Plaintiff.

C. Enter an order awarding Plaintiff compensatory and punitive damages.

D. Enter an order awarding Plaintiff all reasonable attorney fees and expenses incurred.

E. Enter an award for such other relief as may be just and appropriate.

Respectfully Submitted,

WELDY LAW

/s/Ronald E. Weldy
Ronald E. Weldy, #22571-49

IV. Jury Demand

36. Plaintiff incorporates paragraphs 1 through 35 by reference herein.

37. Plaintiff demands a trial by jury.

Respectfully submitted,

WELDY LAW

/s/Ronald E. Weldy

Ronald E. Weldy, #22571-49

Counsel for Plaintiff,

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